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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 8

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT

Argentina, Austria, Belgium*, Brazil, Bulgaria, Canada,
Czech Republic, Denmark, Finland*, France, Germany,
Greece*, Hungary*, Ireland, Italy, Luxembourg*, Peru*,
Philippines, Portugal*, Republic of Korea,
Russian Federation, San Marino*, Slovakia*, Spain*
and Sweden*: draft resolution

1997/... United Nations staff

The Commission on Human Rights,

Recalling its resolution 1996/29 of 19 April 1996,

Gravely concerned at the recent increase in attacks and the use of force against United Nations and other personnel acting under the authority of United Nations operations as well as personnel of international humanitarian organizations, including murder, physical and psychological threats, hostage-taking, shooting at vehicles and aircraft, mine-laying, looting of

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

assets and other hostile acts and, in this context, welcoming the statement by the President of the Security Council of 12 March 1997 (S/PRST/1997/13) on "Security of United Nations operations",

Noting that since its adoption the Convention on the Safety of United Nations and Associated Personnel has been signed by only 43 Member States and ratified by 10,

1. Takes note of the updated report of the Secretary-General on the detention of international civil servants and their families (E/CN.4/1997/25);

2. Draws attention to the relevant principles on protection found in the Convention on the Privileges and Immunities of the United Nations, in the Convention on the Privileges and Immunities of the Specialized Agencies and in the Convention on the Safety of United Nations and Associated Personnel;

3. Calls upon all States to consider promptly becoming parties to the Convention on the Safety of United Nations and Associated Personnel;

4. Calls upon States and others concerned:

(a) To respect and ensure respect for the rights of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and to take the necessary measures to ensure the safety and security of those personnel as well as the inviolability of United Nations premises which are essential to the continuation and successful implementation of United Nations operations;

(b) To provide adequate and prompt information concerning the arrest or detention of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(c) To grant the representative of the competent international organization immediate access to them;

(d) To allow independent medical teams to investigate the health of detained United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and to afford them the necessary medical assistance;

(e) To allow representatives of the competent international organization to attend hearings involving United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, provided that such attendance is consistent with domestic law;

(f) To ensure the speedy release of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant conventions referred to in the present resolution and applicable international humanitarian law;

(g) To ensure that the perpetrators of unlawful acts against United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are held accountable for their actions;

5. Decides to request the Secretary-General:

(a) To take the necessary measures to ensure full respect for the human rights, privileges and immunities of the United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and, when those human rights, privileges and immunities are violated, to ensure that such personnel are restored to their organization, and, where appropriate, to seek redress and compensation for the damage caused to them;

(b) To take the necessary measures to implement the recommendations contained in the final report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the protection of the human rights of United Nations staff members, experts and their families (E/CN.4/Sub.2/1992/19), including the recommendations contained in paragraphs 45 and 47;

(c) To seek the inclusion of the applicable principles referred to in paragraph 2 of the present resolution in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel;

(d) To submit to the General Assembly at its fifty-second session a report on the situation of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who are imprisoned, missing or held in a country against their will, on new cases which have been successfully settled, and on the implementation of the measures referred to in the present resolution;

(e) To commission a comprehensive and independent study, from within existing resources, to shed further light on the safety and security problems faced by United Nations and other personnel carrying out activities in the fulfilment of the mandate of a United Nations operation, taking into account the evolution of the nature of United Nations missions around the world and the greater responsibilities of those personnel, giving due consideration to the views of the main United Nations agencies concerned and of relevant international organizations, both intergovernmental and non-governmental.

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Agenda item 8 (c)

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES

Angola, Argentina, Australia*, Austria, Belgium*, Bulgaria, Canada, Chile, Congo*, Côte d'Ivoire*, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia*, Finland*, France, Georgia*, Germany, Greece*, Guinea, Hungary*, Ireland, Italy, Liechtenstein, Luxembourg, Madagascar, Netherlands, New Zealand*, Norway*, Poland*, Portugal*, Republic of Korea, Romania*, San Marino*, Slovakia*, Slovenia*, Spain*, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

1997/... Question of enforced or involuntary disappearances

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/173 of 20 December 1978, in which the Assembly requested the Commission on Human Rights to consider the question of disappeared persons with a view to making appropriate recommendations, and all other United Nations resolutions concerning missing or disappeared persons,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling its resolution 20 (XXXVI) of 29 February 1980, in which it decided to establish a working group consisting of five of its members, to serve as experts in their individual capacity, to examine questions relevant to enforced or involuntary disappearances, and its resolutions 1991/41 of 5 March 1991, 1992/30 of 28 February 1992, 1993/35 of 5 March 1993, 1994/39 of 5 March 1994, 1995/38 of 3 March 1995 and 1996/30 of 19 April 1996,

Recalling also General Assembly resolution 47/133 of 18 December 1992, by which the Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States, and Assembly resolutions 49/193 of 23 December 1994 and 51/94 of 12 December 1996,

Deeply concerned, in particular, by the intensification of enforced or involuntary disappearances in various regions of the world and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling its resolution 1995/75 of 8 March 1995 on cooperation with the representatives of United Nations human rights organs,

1. Takes note of the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1997/34);

2. Reminds the Working Group:

(a) That its primary role is to act as a channel of communication between families of the disappeared persons and the Governments concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated and to ascertain whether such information falls under its mandate and contains the required elements;

(b) That in its humanitarian task it must observe United Nations standards and practices regarding the handling of communications and the consideration of Government replies;

(c) That it should continue to consider the question of impunity in close collaboration with the rapporteurs appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and with due regard for the relevant provisions of the Declaration;

(d) That it should pay particular attention to cases of children subjected to enforced disappearance and children of disappeared persons, and cooperate closely with the Governments concerned in searching for and identifying these children;

(e) That it must apply gender perspective in its reporting process, including in information collection and formulation of recommendations;

3. Deplores the fact that some Governments have never provided substantive replies concerning the cases of enforced disappearances in their countries or acted on the recommendations concerning them made in the reports of the Working Group;

4. Urges the Governments concerned:

(a) To cooperate with the Working Group and help it to carry out its mandate effectively;

(b) To intensify their cooperation with the Working Group on any action taken pursuant to recommendations addressed to them by the Working Group;

(c) To take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected;

(d) To invite the Working Group to visit their countries so as to enable it to fulfil its mandate even more effectively;

(e) To take steps to ensure that, when a state of emergency is introduced, the protection of human rights is guaranteed, particularly as regards the prevention of enforced or involuntary disappearances;

(f) That have long had many unresolved cases of disappearances, to continue their efforts to shed light on the fate of the individuals concerned and to set in train with the families of those individuals appropriate settlement machinery;

5. Reminds Governments:

(a) Of the need to ensure that their competent authorities proceed in reasonable time to conduct impartial inquiries in all circumstances where there is reason to believe that an enforced disappearance has occurred in territory under their jurisdiction;

(b) That, if such belief is borne out, the perpetrators must be prosecuted, and that all acts of enforced disappearance are crimes punishable by appropriate penalties which should take due account of their extreme seriousness under penal law;

6. Expresses:

(a) Its thanks to the many Governments that have cooperated with the Working Group and replied to its requests for information, and to the Governments that have invited the Working Group to visit their countries, asks them to give all necessary attention to the Working Group's recommendations, and invites them to inform the Working Group of any action they take on those recommendations;

(b) Its commendation of the efforts by Governments which investigate, or develop appropriate mechanisms to investigate, any cases of enforced disappearances which are brought to their attention, and encourages all the Governments concerned to expand their efforts in this area;

7. Invites:

(a) States to take legislative, administrative, legal and other steps to implement the principles of the Declaration on the Protection of All Persons from Enforced Disappearance;

(b) All Governments in this connection to take action at the national and regional levels and in cooperation with the United Nations, if appropriate through technical assistance;

(c) States to provide, as some have already done, concrete information on measures taken to give effect to the Declaration, as well as obstacles encountered;

8. Takes note:

(a) Of the activities of non-governmental organizations in support of the implementation of the Declaration, and invites them to continue to facilitate its dissemination;

(b) Of the cooperation provided to the Working Group by non-governmental organizations;

9. Requests the Working Group to report on its activities to the Commission at its fifty-fourth session and to continue to discharge its mandate discreetly and conscientiously;

10. Requests the Secretary-General:

(a) To ensure that the Working Group receives all the assistance and resources it requires to perform its function, especially in carrying out missions, following them up or holding sessions in countries that would be prepared to receive it;

(b) To keep the Working Group and the Commission on Human Rights regularly informed of the steps he takes for the widespread dissemination and promotion of the Declaration on the Protection of All Persons from Enforced Disappearance;

11. Decides to consider this matter at its fifty-fourth session under the same agenda item.

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COMMISSION ON HUMAN RIGHTS
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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Costa Rica, Croatia*, Cyprus*, Czech Republic, Romania*, South Africa, United Kingdom of Great Britain and Northern Ireland and United Republic of Tanzania*:

draft decision

1997/... United Nations Decade for Human Rights Education

The Commission on Human Rights, bearing in mind its resolution 1996/44 on the United Nations Decade for Human Rights Education and the need to allow time for the implementation of the resolution, decides to defer consideration of this question to its fifty-fourth session under the relevant agenda item.

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

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Agenda item 8

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

Argentina, Australia*, Austria, Brazil, Bulgaria, Cameroon*, Canada, Chile, Côte d'Ivoire*, Czech Republic, Denmark, Finland*, France, Germany, Hungary*, India, Ireland, Italy, Japan, Liechtenstein*, Luxembourg*, Netherlands, Norway*, Peru*, Portugal*, Slovakia*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland: draft resolution

1997/... Right to freedom of opinion and expression

The Commission on Human Rights,

Guided by the Universal Declaration of Human Rights, which affirms the right to freedom of opinion and expression,

Mindful of the International Covenant on Civil and Political Rights, which reaffirms, in article 19, the right of everyone to hold opinions without interference, as well as the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Mindful also that the International Covenant on Civil and Political Rights also states that the exercise of the right to freedom of expression carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but that these should be only such as are provided by law and are necessary for the respect of the rights and reputations of others, or for the protection of national security or public order (ordre public) or of public health or morals, and that any propaganda for war or any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law,

Mindful further of the need to ensure that unjustified invocation of national security to restrict the right to freedom of expression and information does not take place,

Taking note of the Johannesburg Principles on National Security, Freedom of Expression and Access to Information adopted by a group of experts meeting in South Africa on 1 October 1995, which are annexed to the report submitted by the Special Rapporteur to the Commission at its fifty-second session on the promotion and protection of the right to freedom of opinion and expression (E/CN.4/1996/39),

Considering the promotion and protection of the rights to freedom of opinion and expression, including the right to seek, receive and impart information, as well as the rights to peaceful assembly and association, to be essential to popular participation in decision-making processes and to the realization of all the rights set forth in international human rights instruments and to be interrelated with, and to enhance, the exercise of these human rights,

Considering also that a deterioration in the right to exercise freedom of expression could be indicative of a further weakening in the protection and enjoyment of human rights in a country,

Reaffirming the interrelation and interdependence between the exercise of freedom of opinion and expression and the full enjoyment of the freedom to seek, receive and impart information and the importance of a free flow and wider dissemination of information to and from developing countries,

Considering that the effective promotion and protection of the human rights of persons who exercise the right to freedom of opinion and expression are of fundamental importance to the safeguarding of human dignity,

Reaffirming that education is an integral component of the full and effective participation of persons in a free society, in particular for the full enjoyment of the right to freedom of opinion and expression, and that the eradication of illiteracy is very important to the achievement of these goals and to the development of the human person,

Recalling its resolution 1996/53 of 19 April 1996, in which it decided to renew the mandate of the Special Rapporteur for a further three years,

Deeply concerned at numerous reports of detention of, as well as discrimination, threats and acts of violence and harassment, including persecution and intimidation against, professionals in the field of information, including journalists, editors, writers and authors, translators, publishers, broadcasters, printers and distributors, and, in this context, taking note of all other resolutions of the Commission on Human Rights that address the question of the full enjoyment and exercise by everyone of the right to freedom of opinion and expression,

Taking note of the need to raise awareness about the interrelationship between the use and availability of new media of communication, including modern telecommunications technology, and the right to freedom of expression and information, and of the efforts made in this regard in a number of international and regional forums, and mindful of provisions of relevant instruments,

Deeply concerned that for women there exists a gap between the right to freedom of opinion and expression and the effective enjoyment of that right, and that this gap contributes to inadequate action by Governments in the integration of the human rights of women into the mainstream of their human rights activities,

1. Reaffirms its commitment to the principles contained in the International Covenant on Civil and Political Rights;

2. Takes note of the report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (E/CN.4/1997/31 and Add.1) and of the comments and analysis contained therein, including that the right to freedom of opinion and expression is a prerequisite to ensuring public participation in decision-making processes;

3. Expresses its concern at the continuing problem of the inadequate resources, both human and material, provided to the Special Rapporteur and accordingly reiterates its request to the Secretary-General to provide all the

assistance necessary to the Special Rapporteur to fulfil his mandate effectively, in particular by strengthening the human and material resources placed at his disposal;

4. Requests the Secretary-General to consider ways of publicizing, including through the information website operated by the Centre for Human Rights and within the framework of the United Nations Decade for Human Rights Education, the work of the Special Rapporteur, as well as recommendations made by him;

5. Expresses its concern at the extensive occurrence of detention, long-term detention and extrajudicial killing, persecution and harassment, including through the abuse of legal provisions on criminal libel, of, and threats, acts of violence and discrimination directed at, persons who exercise the right to freedom of opinion and expression and the intrinsically linked rights to freedom of thought, conscience and religion, of peaceful assembly and freedom of association and the right to take part in the conduct of public affairs, and concerned in particular at such treatment of professionals in the field of information, including journalists, editors, writers, authors, translators, publishers, broadcasters, printers and distributors as well as persons who seek to promote the rights affirmed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and seek to educate others about them or who defend these rights and freedoms, including legal professionals and others who represent persons exercising those rights;

6. Also expresses its concern at the number of cases in which the violations referred to in paragraph 6 of the present resolution are facilitated and aggravated by several factors such as abuse of states of emergency, exercise of the powers specific to states of emergency without formal declaration, and too vague a definition of offences against State security;

7. Welcomes the release of persons detained for exercising these rights and freedoms, and encourages further progress in this regard;

8. Appeals to all States

(a) To ensure respect and support for the rights of all persons who exercise the right to freedom of opinion and expression, the rights to freedom of thought, conscience and religion, peaceful assembly and association and the right to take part in the conduct of public affairs or who seek to promote and

defend these rights and freedoms and, where any persons have been detained, subjected to violence or threats of violence and to harassment, including persecution and intimidation, solely for exercising these rights as laid down in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other relevant human rights instruments, to take the appropriate steps to ensure the immediate cessation of these acts and to create conditions under which these acts may be less liable to occur;

(b) To ensure that persons seeking to exercise these rights and freedoms are not discriminated against, particularly in such areas as employment, housing and social services, and in this context to pay particular attention to the situation of women;

(c) To cooperate with and assist the Special Rapporteur in the performance of his tasks and to provide all information necessary in order to permit him fully to carry out his mandate;

9. Invites once again the working groups, representatives and special rapporteurs of the Commission on Human Rights to pay attention, within the framework of their mandates, to the situation of persons detained, subjected to violence, ill-treated or discriminated against for having exercised the right to freedom of opinion and expression as affirmed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other relevant human rights instruments;

10. Invites the working groups, representatives and special rapporteurs of the Commission on Human Rights, within their mandates, to take note of any deterioration in the right to freedom of expression and to consider whether such deterioration could signal a further weakening in the protection and enjoyment of human rights in a country;

11. Invites relevant United Nations bodies, mechanisms and procedures of the Commission on Human Rights, the Committee on the Elimination of Discrimination against Women and independent expert bodies, within their mandates, further to examine violations of the right to freedom of opinion and expression from a gender perspective, in cooperation with the Commission on the Status of Women;

12. Invites the Special Rapporteur, within the framework of his mandate,

(a) To draw the attention of the United Nations High Commissioner for Human Rights to those situations and cases regarding freedom of opinion and expression which are of particularly serious concern to the Special

Rapporteur, and encourages the High Commissioner, within his mandate, to take into account reports in this regard in the context of his activities to promote and protect human rights, with a view to preventing the occurrence and recurrence of human rights violations;

(b) In cooperation with the Special Rapporteur on violence against women, to continue to pay particular attention to the situation of women and the relationship between the effective promotion and protection of the right to freedom of opinion and expression and incidents of discrimination based on sex, creating obstacles for women with regard to their right to seek, receive and impart information, and to consider how these obstacles impede the ability of women to make informed choices in areas of particular importance to them, as well as in areas related to the general decision-making processes in the societies in which they live;

(c) To continue his efforts to cooperate with other special rapporteurs, special representatives, independent experts, working groups and other United Nations mechanisms and procedures in the field of human rights;

(d) To develop further his commentary on the right to seek and receive information and to expand on his observations and recommendations arising from communications;

(e) To continue to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him, and invites him to continue to seek the views and comments of the Governments and others concerned in the elaboration of his report, as well as to continue to carry out his work with discretion and independence;

(f) To consider, in his next report, all aspects of the impact that the availability of new information technology may have on the equal opportunity of access to information and on the exercise of the right to freedom of expression as set out in the International Covenant on Civil and Political Rights;

13. Requests the Special Rapporteur to submit to the Commission at its fifty-fourth session a report covering the activities relating to his mandate and decides to continue its consideration of this question at its fifty-fourth session.

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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Afghanistan*, Argentina, Bolivia*, Brazil, Canada, China, Colombia, Ecuador, El Salvador, Guatemala*, Honduras*, Japan, Peru*, Russian Federation, Turkey* and Uruguay: draft resolution

1997/... Hostage-taking

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, freedom from torture or degrading treatment, freedom of movement and protection from arbitrary detention,

Taking into account the International Convention against the Taking of Hostages, adopted by the General Assembly in its resolution 34/146 of 17 December 1979, which also recognizes that everyone has the right to life, liberty and security of person and that the taking of hostages is an offence of grave concern to the international community, as well as the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly in its resolution 3166 (XXVIII) of 14 December 1973,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Bearing in mind the pertinent Security Council resolutions condemning all cases of hostage-taking, as well as the statement of the press made by its President on 19 December 1996, condemning the taking of hostages by terrorist elements,

Recalling its resolution 1996/62 and other previous resolutions on the subject, in particular its resolution 1992/23 of 28 February 1992, in which it condemned the taking of any person as hostage,

Deeply concerned that, despite the efforts of the international community, acts of hostage-taking, in different forms and manifestations, including, inter alia, those committed by terrorists and armed groups, have increased in many regions of the world,

Expressing its outrage at the continuing manifestations of brutality and violence in connection with hostage-taking, including the killing of innocent people and their use as human shields,

Especially alarmed at the taking hostage of women and children, expressing its distress at the violence committed against innocent victims, and sharing the anxiety and suffering of the families concerned,

Appealing for the humanitarian action of the International Committee of the Red Cross and its delegates to be respected, in accordance with the Geneva Conventions of 1949 and its Additional Protocols,

Recognizing that hostage-taking calls for resolute, firm and concerted efforts on the part of the international community in order, in strict conformity with international human rights standards, to bring such abhorrent practices to an end,

1. Reaffirms that hostage-taking, wherever and by whomever committed, is an illegal act aimed at the destruction of human rights and is, under any circumstance, unjustifiable;

2. Strongly condemns all acts of hostage-taking, anywhere in the world;

3. Demands that all hostages be released immediately and without any preconditions;

4. Calls upon States to take all necessary measures, in accordance with relevant provisions of international law and international human rights standards, to prevent, combat and punish acts of hostage-taking, including by strengthening international cooperation in this field;

5. Invites relevant non-governmental organizations to join States in condemning acts of hostage-taking;

6. Urges all thematic special rapporteurs and working groups to address, as appropriate, the consequences of hostage-taking in their forthcoming reports to the Commission;

7. Decides to consider this question at its fifty-fourth session under the same agenda item.

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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT

Argentina, Austria, Bulgaria, Canada, Cape Verde, Chile, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, Estonia*, Finland*, France, Hungary, Italy, Netherlands, Nicaragua, Poland*, Republic of Korea, Senegal*, South Africa, Sweden*, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution

1997/... The right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, other relevant human rights instruments and the Vienna Declaration and Programme of Action,

Reaffirming that, pursuant to internationally proclaimed human rights principles, victims of grave violations of human rights should receive, in appropriate cases, restitution, compensation and rehabilitation,

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* In accordance with rule 69, para. 3 of the rules of procedure of the functional commissions of the Economic and Social Council.

Considering that the question of restitution, compensation and rehabilitation of victims of grave violations of human rights and fundamental freedoms has received insufficient atttention and should continue to be addressed in a more systematic and thorough way at the national and international levels,

Noting with interest the positive experience of countries that have established policies and adopted legislation for the reparation of victims of grave violations of human rights,

Reiterating its appreciation of the study on the subject prepared by the former Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Theo van Boven, contained in his final report (E/CN.4/Sub.2/1993/8),

Recalling its resolution 1994/35 of 4 March 1994 in which it expressed the hope that priority attention would be given to this question, in particular on the specific field of violations of human rights and fundamental freedoms, and regarded the proposed basic principles and guidelines contained in the study of the Special Rapporteur as a useful basis for that purpose,

Recalling also its resolution 1996/35 of 19 April 1996 in which it requested States to provide information to the Secretary-General about legislation already adopted, as well as that in the process of being adopted, relating to the right to restitution, compensation and rehabilitation,

Taking note of the report of the Secretary-General (E/CN.4/1997/29) submitted to the Commission in compliance with its resolution 1996/35,

Also taking note of resolution 1996/28 of 29 August 1996 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in which it decided to bring to the attention of the Commission on Human Rights the revised text of the basic principles and guidelines on the right to reparation for victims of [gross] violations of human rights and international humanitarian law prepared by the former Special Rapporteur Mr. Theo van Boven,

1. Calls once more upon the international community to give due attention to the right to restitution, compensation and rehabilitation for victims of grave violations of human rights;

2. Expresses its appreciation to States that provided information on the matter to the Secretary-General, in compliance with resolution 1996/35, for their valuable contribution in this field and requests those that have not yet done so to provide information to the Secretary-General as soon as

possible on the legislation already adopted as well as that in the process of being adopted, relating to the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms;

3. Expresses its appreciation to the Secretary-General for his report (E/CN.4/1997/29) and requests him to prepare an additional report on the basis of the replies he receives from States for submission to the Commission on Human Rights at its fifty-fifth session;

4. Invites the Secretary-General to request all States to submit their views and comments on the note and revised text of the basic principles and guidelines on the right to reparation for victims of [gross] violations of human rights and international humanitarian law contained in document E/CN.4/1997/104, and to prepare a report setting out such views and comments for submission to the Commission on Human Rights at its fifty-fourth session.

5. Decides to continue to examine this question at its fifty-fourth session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina, Australia*, Austria, Belarus, Belgium*, Brazil, Canada, Croatia*, Germany, Greece*, Honduras*, Hungary*, Ireland, Italy, Japan, Lithuania*, Portugal*, Republic of Korea, Romania*, Russian Federation, The former Yugoslav Republic of Macedonia* and Togo*: draft resolution

1997/... Regional arrangements for the promotion and protection of human rights

The Commission on Human Rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 which reiterated, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling General Assembly resolution 32/127 of 16 December 1977 and all subsequent resolutions of the Assembly concerning regional arrangements for the promotion and protection of human rights,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling also Commission on Human Rights resolution 1995/46 of 3 March 1995,

Reaffirming that regional arrangements play a fundamental role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments, and their protection,

Recalling that the World Conference recommended that more resources should be made available for the strengthening or the establishment of regional arrangements for the promotion and protection of human rights under the programmes of advisory services and technical assistance of the Centre for Human Rights,

Supporting the efforts made by the United Nations, the specialized agencies and the regional intergovernmental organizations in order to promote and protect human rights at the regional level,

Noting the growing exchanges between the United Nations and the bodies created by the United Nations in accordance with the treaties dealing with human rights on the one hand and the intergovernmental regional organizations on the other in order to promote the mutual exchange of information and the conclusion of regional arrangements for the promotion and the protection of human rights,

Having considered the report of the Secretary-General (E/CN.4/1997/35)

1. Takes note of the report of the Secretary-General;

2. Welcomes the continuing cooperation and assistance of the United Nations High Commissioner for Human Rights/Centre for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular with regard to advisory services and technical assistance, public information and education, with a view to exchanging information and experience in the field of human rights;

3. Also welcomes, in that respect, the close cooperation of the High Commissioner/Centre for Human Rights in the organization of regional and subregional training courses and workshops in the field of human rights, high-level government expert meetings and a regional conference of national human rights institutions, aimed at creating greater understanding of the promotion and protection of human rights issues in the regions, improving procedures and examining the various systems for the promotion and protection

of universally accepted human rights standards and at identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

4. Stresses the importance of the programme of advisory services in the field of human rights and renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations, under this programme, of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with several Governments of the Asian and Pacific region;

5. Requests the Secretary-General, as foreseen in programme 35, Promotion and protection of human rights, of the Medium-term plan for the period 1992-1997, to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights;

6. Welcomes the growing exchanges between the High Commissioner/Centre for Human Rights and several regional intergovernmental organizations as well as between the bodies created by the United Nations in accordance with the treaties dealing with human rights and the regional mechanisms for protection of human rights;

7. Invites States in areas where regional arrangements in the field of human rights do not yet exist to consider concluding agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

8. Requests the High Commissioner/Centre for Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, relevant recommendations;

9. Invites the Secretary-General, in the framework of the report he will present to the General Assembly at its fifty-third session, to provide information about the progress made since the adoption of the Vienna Declaration and Programme of Action on reinforcing the exchange of information and extending collaboration between the organs of the United Nations dealing with human rights and regional organizations in the field of the protection and promotion of human rights;

10. Requests the Secretary-General to submit to it at its fifty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights, to formulate concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights and to include therein the results of action taken in pursuance of the present resolution;

11. Decides to consider this question further at its fifty-fifth session.

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Fifty-third session
Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Austria, Belarus, Brazil, Bulgaria, Chile, Croatia, Czech Republic, El Salvador, Ethiopia, Finland*, France, Germany, Hungary*, India, Israel*, Italy, Republic of Korea, Mexico, Philippines, Poland*, Romania*, Russian Federation, Slovenia*, South Africa, Sweden*, Switzerland* and Ukraine: draft resolution

1997/... Preparations for the fiftieth anniversary of the Universal Declaration of Human Rights

The Commission on Human Rights,

Recalling that the General Assembly, in adopting the Universal Declaration of Human Rights on 10 December 1948, recognized the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Considering that the fiftieth anniversary of the Universal Declaration provides an opportunity for the United Nations and Member States to redouble their efforts to promote awareness and strengthened observance of the rights set out in the Declaration,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing the Declaration as the source of inspiration and the basis of the subsequent progress in the field of human rights, and taking note of the improvements in the field of human rights during the past five decades owing to national and international solidarity and efforts,

Concerned that the international human rights standards are not fully and universally respected and that human rights continue to be violated in all parts of the world, and that people still suffer misery and are deprived of the full enjoyment of their civil, cultural, economic, political and social rights,

Convinced of the necessity of respecting human rights and fundamental freedoms and determined that new steps should be taken, nationally and with the increased cooperation and solidarity of the international community, with a view to achieving substantial progress in human rights,

Recalling the significance and the message of the Vienna Declaration and Programme of Action which emphasizes that all human rights are universal, indivisible, interdependent and interrelated, and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing,

Stressing the importance of ensuring the full integration of the human rights of women into all preparations for and celebrations of the fiftieth anniversary of the Universal Declaration of Human Rights,

Recognizing the fundamental importance of tolerance as an essential element in promoting a culture conducive to the acceptance of diversity and pluralism, and thereby to the fuller enjoyment of human rights,

Mindful that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Convinced that in the light of the existing level of standard-setting in the field of human rights, the primordial task of the United Nations at present is to promote universal accession to the existing international instruments and better implementation of them by all the States parties,

Welcoming the international and national initiatives already undertaken in the context of the fiftieth anniversary of the Universal Declaration of Human Rights, and commending the efforts of individuals in all regions of the world to promote the Universal Declaration,

1. Requests the High Commissioner for Human Rights to continue to coordinate within the United Nations system the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights, bearing in mind the provisions of the Vienna Declaration and Programme of Action for evaluation and follow-up;

2. Invites Governments to review and assess progress made in the field of human rights since the adoption of the Universal Declaration, to identify obstacles to progress in this area and ways in which they can be overcome, and to undertake additional efforts to develop programmes of education and information, with a view to disseminating the text and arriving at a better understanding of the universal message of the Declaration;

3. Also invites Governments to undertake, in the context of the fiftieth anniversary of the Universal Declaration of Human Rights, national programmes for its celebration and to ensure wide participation, including by the public administration, national institutions, non-governmental organizations, academic circles and all elements of civil society;

4. Emphasizes in this regard the primary importance of grass-roots initiatives in promoting, through education and the media, a human rights culture, and encourages all actors to pursue further activities, including the exchange of experiences on the promotion of human rights;

5. Urges those Governments that have not yet ratified the main human rights instruments that are based on the Universal Declaration of Human Rights to consider doing so, and calls on all Governments to implement fully their international obligations in the field of human rights;

6. Invites the human rights treaty bodies to give appropriate attention, within their mandates and methods of work, to the fiftieth anniversary of the Universal Declaration of Human Rights and to reflect on how they might contribute to the preparations;

7. Urges the High Commissioner/Centre for Human Rights and the Department of Public Information to cooperate closely in the implementation of information activities leading up to and during the fiftieth anniversary of the Universal Declaration of Human Rights.

8. Calls upon relevant United Nations organs and agencies, in the light of the principles set forth in the Universal Declaration of Human Rights, to make, within their respective mandates and fields of action, an

assessment of, and to put forward pertinent conclusions on, the state of implementation and the impact of existing international human rights instruments;

9. Invites relevant United Nations organs and agencies, in coordination with the High Commissioner for Human Rights, to mark the anniversary by intensifying their own contributions to United Nations system-wide efforts to promote and protect human rights;

10. Encourages national institutions, such as human rights commissions, ombudsmen and others, to play a prominent role in the activities marking the fiftieth anniversary, and to give due regard to this issue at the next international workshop of national institutions;

11. Invites non-governmental organizations to participate fully in the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights, to intensify their campaign for greater understanding and better use of the Declaration, and to communicate their observations and recommendations to Governments, national institutions, regional organizations and the High Commissioner for Human Rights;

12. Decides to review at its fifty-fourth session the state of the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights and to give the matter attention commensurate with its historical significance.

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COMMISSION ON HUMAN RIGHTS
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Item 18 of the provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Colombia, El Salvador, Guatemala*, Mexico, Norway*, Peru*, Spain*, United States of America and Venezuela*: draft resolution

1997/... Assistance to Guatemala in the field of human rights

The Commission on Human Rights,

Deeply gratified by the signing of the Agreement on a Firm and Lasting Peace by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) on 29 December 1996, which brought an end to the period of the most serious violations of human rights and to the internal armed conflict and concluded the negotiation process,

Recognizing the importance of the role played in these negotiations by the moderator appointed by the Secretary-General and the importance of the participation of the Group of Friendly Countries composed of Colombia, Spain, the United States of America, Mexico, Norway and Venezuela, and of the valuable contributions of the Civil-Society Assembly and other national and international entities,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Encouraged by the measures already taken by the signatories of the peace agreements to give effect to those agreements, such as the creation of the Follow-up Commission, the actions of the Guatemalan Government, the demobilization of URNG combatants under the supervision of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) within a period of 60 days beginning on 3 March 1997, as established in the timetable adopted for the implementation of the agreements from January 1997 to 31 December 2000, and the proper observance of the timetable,

Encouraged also by the international support for the Guatemalan Peace process, both in political terms, with the approval by the Security Council on 20 January 1997 of the formation of a military component of MINUGUA to monitor the permanent ceasefire and the recent extension of MINUGUA's mandate in March 1997, and in economic terms, with the approval of funds for cooperation in implementating the commitments made in the peace agreements, at the meeting of the Donor Consultative Group held in Brussels on 21 and 22 January 1997,

Having considered with satisfaction the report of the independent expert, Mrs. Mónica Pinto (E/CN.4/1997/90) and having studied its conclusions and recommendations, expresses its gratitude for the report and for the way in which she has discharged her mandate, as well as for the reports submitted to the Secretary-General by MINUGUA,

Concerned by the fact that violations of human rights and acts of violence continue to occur, in some cases involving members of the armed and security forces and other government officials, although the policies and actions of the Government are opposed to such acts and seek to put an end to them,

Regretting the human rights violations, both individual and collective, the marginalization and discrimination suffered by the indigenous populations in Guatemala, together with the continued deterioration of the economic and social situation, with its serious consequences for the great majority of the population, particularly for the indigenous peoples of Guatemala and the most vulnerable sectors of Guatemalan society,

1. Expresses its deep appreciation to the Government of Guatemala and URNG for their extraordinary efforts in concluding the Peace negotiations in 1996, to the moderator appointed by the Secretary-General for his invaluable contribution, to the Group of Friendly Countries for their efforts in

advancing the Peace process and bringing it to a successful conclusion and to the Civil-Society Assembly for its valuable contribution to the preparation of the agreements signed;

2. Recognizes the efforts of the Guatemalan Government in the field of human rights and encourages it to apply the necessary urgent measures to consolidate democratic institutions and to protect and promote human rights and fundamental freedoms, taking into account the recommendations of the independent expert, the contributions of MINUGUA and the commitments made in the Peace agreements on the basis of the timetable for their implementation;

3. Regrets that, notwithstanding the efforts of the Government and the extraordinary developments in the area of peace, acts of violence persist, including violations of the right to life and physical integrity, and that impunity also continues to exist, and expresses its concern that the National Reconciliation Act might be used as an instrument for granting impunity to State officials involved in serious violations of human rights and criminal acts committed during the armed conflict;

4. Recognizes the work done by the Human Rights Procurator in the defence of human rights and fundamental freedoms and exhorts the Government of Guatemala to guarantee the conditions for the strengthening of his activities through the adoption of legislative measures to enable him to participate in proceedings relating to human rights violations;

5. Recognizes also the valuable role played by the non-governmental human rights organizations in defending and promoting human rights and in combating impunity for violators of human rights and requests the Government to facilitate their activities and the use of advisory services in the field of human rights;

6. Expresses its confidence that the Government of Guatemala, URNG and all those responsible for implementing the Peace agreements will take steps to fulfil the commitments made, in strict accordance with the timetable for the implementation of the Peace agreements and on the basis of the spirit and letter of the Agreement on a Firm and Lasting Peace, following the recommendations and guidelines of the Follow-up Commission;

7. Is confident that the Commission to clarify past human rights violations and acts of violence that have caused the Guatemalan people to suffer, coordinated by Mr. Christian Tomuschat, will begin its work as soon as possible and requests the international community and the Government to extend

full cooperation to the Commission, including access to any confidential information, and provide it with the necessary resources and time needed to carry out its mandate in accordance with the relevant agreements;

8. Calls upon the Government of Guatemala, URNG and Guatemalan society as a whole to make every possible effort to familiarize the Guatemalan people with the content of the Peace agreements as quickly as possible, to ensure the full participation of the people in building the new multi-ethnic, multicultural and multilingual nation, establishing a democratic society with social justice, initiating a period of sustained and sustainable economic and social development and ensuring the pre-eminence of civilian authority in national decision-making;

9. Also calls upon the Government of Guatemala to continue, on the basis of the Agreement on a Firm and Lasting Peace and in accordance with its timetable, to adopt and develop concrete measures against extreme poverty, using national resources and with international support, to enable the population to attain better living standards, giving priority to economic and social development programmes which respond adequately to the most urgent needs of the Guatemalan people in general and the indigenous communities in particular;

10. Further calls upon the Government of Guatemala, in order to preserve broad support for the Peace agreements and foster enthusiasm for compliance with them, to seek dialogue with all sectors and to use consultation as a way of resolving social and economic conflicts, particularly those relating to the tenure and use of land and those affecting the rights of workers;

11. Requests the Congress of the Republic to conduct its legislative work with the firm resolve of adhering to the letter, spirit and overall perspective of the Peace agreements and to seek the broadest possible consensus for the adoption of laws, both those deriving from the Peace agreements and ordinary laws, so as to ensure that they become effective instruments for the transformation of the State and society provided for in the agreements;

12. Requests the judicial authorities, in coordination with the Executive Power, the Congress of the Republic and the Commission on the Strengthening of the Justice system, to expedite the restructuring and consolidation of the judicial system on the basis of the Peace agreements and their timetable, so as to fully guarantee the rule of law, the application of justice, unconditional observance of human rights and the elimination of impunity, particularly for violators of human rights;

13. Welcomes with satisfaction the signing of the agreement on the provision of advisory services in the field of human rights between the Government of the Republic of Guatemala and the Centre for Human Rights and requests the Secretary-General to develop as quickly as possible specific programmes for the strengthening and development of governmental and non-governmental human rights organizations, using the resources provided for in the agreement;

14. Requests the Secretary-General to terminate the mandate of the independent expert and, taking account of the verification work of MINUGUA and of the information provided by the Government of Guatemala and the non-governmental human rights organizations, to submit a report to the Commission on Human Rights at its fifty-fourth session on the evaluation and development of measures adopted by the Government and other bodies concerning the provision of advisory services in the field of human rights to the Government of Guatemala and the non-governmental human rights organizations;

15. Expresses its deepest appreciation to the independent expert, Mrs. Mónica Pinto, for the professional, competent and independent manner in which she has discharged her mandate;

16. Decides to consider this question at its next session under the agenda item on advisory services in the field of human rights.

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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 9 (a)

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Mexico and the Russian Federation: draft resolution

1997/... Human rights and arbitrary deprivation of nationality

The Commission on Human Rights,

Reaffirming article 15 of the Universal Declaration of Human Rights, in accordance with which everyone has the right to a nationality and no one shall be arbitrarily deprived of his nationality,

Recalling the provisions of other international human rights instruments, including article 5, paragraph (d) (iii), of the International Convention on the Elimination of All Forms of Racial Discrimination, article 24, paragraph 3, of the International Covenant on Civil and Political Rights and articles 7 and 8 of the Convention on the Rights of the Child,

Stressing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis, as reaffirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Expressing its deep concern at the arbitrary deprivation of persons or groups of persons of their nationality, especially on racial, national, ethnic or religious grounds,

Mindful of the endorsement by the General Assembly, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their populations because of nationality, ethnicity, race, religion or language,

1. Reaffirms the importance of the right to nationality of every human person as an inalienable human right;

2. Recognizes that arbitrary deprivation of nationality on racial, national, ethnic or religious grounds is a violation of human rights and fundamental freedoms;

3. Calls upon all States to refrain from taking measures and from enacting legislation that discriminates against persons or groups of persons on grounds of race, colour or national or ethnic origin by nullifying or impairing the exercise, on an equal footing, of their right to nationality, and to repeal such legislation if it already exists;

4. Urges the appropriate mechanisms of the Commission on Human Rights and the pertinent United Nations treaty bodies to collect information on this question from all relevant sources and to take account of such information, together with any recommendations thereon, in their reports;

5. Requests the Secretary-General to transmit the present resolution to Governments, intergovernmental and non-governmental organizations and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and to request their views thereon;

6. Decides to remain seized of this matter.

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INDIGENOUS ISSUES

Argentina, Belgium*, Benin, Bolivia*, Canada, Chile, Colombia, Cyprus*, Denmark, Dominican Republic, El Salvador, Estonia*, Finland*, Greece*, Guatemala*, Honduras*, Iceland*, Latvia*, Mexico, Nepal, Netherlands, New Zealand*, Nicaragua, Norway*, Peru*, Portugal*, Russian Federation, Spain*, Sweden*, Switzerland*, Ukraine, Uruguay and Venezuela*:
draft resolution

1997/... A permanent forum for indigenous people in the United Nations system

The Commission on Human Rights,

Recalling the recommendations pertaining to indigenous people included in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/23), in particular the recommendation that the establishment of a permanent forum for indigenous people in the United Nations system should be considered,

Recalling also the recommendations of the United Nations Conference on Environment and Development to involve indigenous people and their communities in the United Nations programmes of environment and development as stated in article 22 of the Rio Declaration on Environment and Development and chapter 26 of Agenda 21,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling further that the programme of activities for the International Decade of the World's Indigenous People adopted by the General Assembly in its resolution 50/157 recognizes among the important objectives of the Decade that consideration should be given to the establishment of a permanent forum for indigenous people in the United Nations system,

Bearing in mind its previous resolutions 1994/28 of 4 March 1994, 1995/30 of 3 March 1995 and 1996/41 of 19 April 1996, as well as General Assembly resolutions 49/214 of 23 December 1994, 50/157 of 21 December 1995 and 51/78 of 12 December 1996,

1. Welcomes the Secretary-General's review of the existing mechanisms, procedures and programmes within the United Nations concerning indigenous people (A/51/493);

2. Takes note of the recommendation of the General Assembly in Assembly resolution 50/157 that the Commission on Human Rights, drawing on the results of the Copenhagen workshop (E/CN.4/Sub.2/AC.4/1995/7 and Add.1-3) and the Secretary-General's review, consider the convening of a second workshop on the possible establishment of a permanent forum for indigenous people;

3. Welcomes the offer of the Government of Chile to host such a workshop;

4. Requests the High Commissioner/Centre for Human Rights to convene the second workshop for a period of three days prior to the fifteenth session of the Working Group on Indigenous Populations, in accordance with established United Nations practice and with the participation of representatives of Governments, organizations of indigenous people, non-governmental organizations and United Nations bodies, organizations and specialized agencies and with, inter alia, the results of the Copenhagen workshop and the Secretary-General's review as the basis for discussions;

5. Recognizes the importance, in the light of the Secretary-General's review, of the participation of relevant United Nations bodies, organizations and specialized agencies as well as representatives of organizations of indigenous people in the workshop and in any further consultations on the matter;

6. Takes note of the decision of the Coordinator of the International Decade of the World's Indigenous People to contribute to the holding of the second workshop through a contribution from the Voluntary Fund for the International Decade, in line with the recommendation of the Advisory Group for the Voluntary Fund at its April 1996 meeting;

7. Requests the High Commissioner/Centre for Human Rights to transmit the report of the workshop to the Working Group on Indigenous Populations at its fifteenth session, inviting the Working Group to express its views, and to submit the report, together with any comments arising from the discussions at the Working Group, to the Commission on Human Rights at its fifty-fourth session;

8. Also requests the High Commissioner/Centre for Human Rights to transmit the report of the workshop to Governments, relevant United Nations bodies, organizations and specialized agencies, and indigenous organizations for their comments, and to submit the comments received in a report to the Commission at its fifty-fourth session;

9. Decides to continue its consideration of this matter at its fifty-fourth session under the agenda item entitled "Indigenous issues".

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Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina, Austria, Belgium*, Canada, Bulgaria, Chile, Czech Republic, Denmark, Dominican Republic, Finland*, France, Germany, Hungary*, Ireland, Italy, Luxembourg*, Netherlands, New Zealand*, Norway*, Peru*, Poland*, Portugal*, Republic of Korea, Romania*, Slovakia*, Spain*, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

1997/... Human rights and thematic procedures

The Commission on Human Rights,

Considering that thematic procedures established by the Commission with regard to the consideration of questions relating to the promotion and protection of all human rights have an important role among its human rights monitoring mechanisms,

Noting with satisfaction that an increasing number of Governments, as well as non-governmental organizations, have developed a working relationship with the thematic procedures,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling all its resolutions on human rights and thematic procedures,

Recalling also recommendations concerning thematic procedures contained in the Vienna Declaration and Programme of Action of the World Conference on Human Rights,

Noting that some human rights violations are specific to or primarily directed against women, and that the identification and reporting of these violations demand specific awareness and sensitivity,

1. Commends those Governments that have invited the thematic special rapporteurs or working groups to visit their countries and that have developed other forms of intensive cooperation with the thematic procedures;

2. Encourages all Governments to:

(a) Cooperate more closely with the Commission through the pertinent thematic procedures;

(b) Respond expeditiously to requests for information made to them through the thematic procedures so that the procedures may carry out their mandates effectively and, where appropriate, invite a thematic special rapporteur or working group to visit their countries;

(c) Consider follow-up visits designed to assist them with effective implementation of recommendations of the thematic special rapporteurs and working groups:

3. Invites the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed promptly on the progress made towards their implementation;

4. Invites the non-governmental organizations to continue their cooperation with thematic procedures, and to ascertain that the material provided falls under the mandate of these procedures and contains the required elements;

5. Invites the thematic special rapporteurs and working groups to:

(a) Make recommendations for the avoidance of human rights violations;

(b) Follow closely the progress made by Governments in their investigations carried out within their respective mandates;

(c) Continue close cooperation with relevant treaty bodies and country rapporteurs;

(d) Include in their reports information provided by Governments on follow-up action, as well as their own observations thereon, including in regard to both problems and improvements, as appropriate;

(e) Include regularly in their reports gender-disaggregated data and to address the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable, in order to ensure the effective protection of their human rights;

6. Requests the thematic special rapporteurs and working groups to include in their reports comments on problems of responsiveness and the result of analyses, as appropriate, in order to carry out their mandates even more effectively, and to include also in their reports suggestions as to areas where Governments might request relevant assistance through the programme of advisory services administered by the Centre for Human Rights;

7. Requests the Secretary-General, taking note of the recommendations of the meetings of the special rapporteurs, representatives, experts and chairpersons of working groups, to consider the possibility of convening further periodic meetings of all the thematic special rapporteurs and the chairpersons of working groups of the Commission on Human Rights in order to enable them to continue to exchange views, cooperate and coordinate more closely and make recommendations;

8. Encourages the United Nations High Commissioner for Human Rights to strengthen further cooperation among the thematic special rapporteurs, representatives, experts, members and chairpersons of working groups of the Commission and other relevant United Nations bodies, including the human rights treaty bodies, with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

9. Suggests that the special rapporteurs, representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights consider how these mechanisms can make available information on the particular situation of individuals working for the promotion and protection of all human rights and fundamental freedoms and how their protection could be enhanced, taking into account the ongoing deliberations of the relevant working group of the Commission;

10. Requests the Secretary-General to:

(a) Issue annually and sufficiently early, in close collaboration with the thematic special rapporteurs and working groups, their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission;

(b) Present annually a list of all persons currently constituting the thematic and country procedures, including their country of origin, in an annex to the annotations to the provisional agenda of each session of the Commission on Human Rights;

11. Also requests the Secretary-General, in implementing the United Nations budget for the biennium 1998-1999, to ensure the availability of such resources as are necessary for the effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs and working groups by the Commission.

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Agenda item 18

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Argentina, Austria, Belarus, Belgium*, Benin, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia*, Czech Republic, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland*, France, Gabon, Germany, Greece*, India, Ireland, Italy, Liechtenstein*, Lithuania*, Luxembourg*, Madagascar, Netherlands, Nicaragua, Norway*, Peru*, Poland*, Portugal*, Republic of Korea, Romania*, Russian Federation, Togo*, South Africa: draft resolution, Sweden*, Switzerland*,

1997/... Advisory services, technical cooperation and the Voluntary Fund for Technical Cooperation in the Field of Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955, in which the Assembly established the United Nations programme of advisory services in the field of human rights, and Economic and Social Council decision 1987/147 of 29 May 1987, pursuant to which the Secretary-General established the Voluntary Fund for Technical Cooperation in the Field of Human Rights, as well as Commission on Human Rights resolution 1996/55 of 19 April 1996,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the Vienna Declaration and Programme of Action (A/CONF.157/23), in which the World Conference on Human Rights called for an enhanced programme of advisory services in the field of human rights, as well as for a more efficient and transparent management of the programme,

Mindful that the High Commissioner for Human Rights, according to his mandate as established by the General Assembly in resolution 48/141 of 20 December 1993, is responsible, inter alia, for the provision of advisory services and technical cooperation at the request of States as well as for the coordination of human rights promotion and protection activities throughout the United Nations system,

Taking note with appreciation of the report of the Secretary-General (E/CN.4/1997/86) on advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights,

1. Declares that advisory services and technical cooperation aimed at the development of national capacities in the field of human rights constitute one of the most efficient and effective means of promoting and protecting all human rights and democracy, particularly since these activities are undertaken at the request of Governments;

2. Welcomes, therefore, the increasing number of requests for advisory services and technical cooperation in the field of human rights as an expression of the growing commitment of States to promote and protect human rights, and encourages all States in need of assistance in the field of human rights to consider making use of advisory services and technical cooperation in order to achieve the full enjoyment of all human rights;

3. Encourages the High Commissioner for Human Rights to develop further the potential for the provision of advisory services and technical cooperation;

4. Stresses that, with a view to assisting States effectively and encouraging them to strengthen human rights, the rule of law and democracy, priority should be given to technical cooperation programmes designed to address the specific requirements of the requesting countries;

5. Reaffirms that the provision of advisory services and technical cooperation may be seen as a complement to the monitoring activities of the human rights programme from which no Government is exempt, and notes in this regard that, in order to produce lasting results, monitoring and preventive activities may need to be accompanied by promotional activities through advisory services and technical cooperation;

6. Welcomes progress made in the management of the programme of advisory services and technical cooperation, notably the efforts made to apply more efficient procedures and training of staff in the area of project identification, management and evaluation, as well as the progressive development of clear objectives, strategies and priorities for the effective management of the technical cooperation programme, and, in accordance with the Vienna Declaration and Programme of Action, encourages the Secretary-General to pursue these efforts further;

7. Also welcomes recent efforts to integrate economic, social and cultural rights as well as a gender perspective into the technical cooperation programme;

8. Reaffirms that advisory services and technical cooperation in the field of human rights require close cooperation and coordination between United Nations bodies and specialized agencies active in this field so as to enhance the effectiveness and efficiency of their respective programmes and avoid unnecessary duplication, and requests the High Commissioner to explore yet further possibilities for cooperation with specialized agencies and other organizations of the United Nations system, as well as non-governmental organizations;

9. Encourages in particular the cooperation between the High Commissioner/Centre for Human Rights and the United Nations Development Programme, with a view to integrating projects for strengthening human rights, the rule of law and democracy into the country programmes of the United Nations Development Programme and in order to execute joint projects;

10. Invites relevant United Nations treaty bodies, special rapporteurs and representatives, as well as working groups, to continue to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services and technical cooperation in the field of human rights;

11. Notes with concern that in the current biennium the budgetary resources for technical cooperation in the field of human rights have decreased by half as compared with the previous biennium, and requests the Secretary-General to allocate to the human rights programme, in the context of the budgetary planning for the biennium 1998-1999, more human and financial resources for the enlargement of the programme of advisory services and technical cooperation in the field of human rights in order to meet the substantially increased demand;

12. Expresses its appreciation for the contributions made to the Voluntary Fund for Technical Cooperation in the Field of Human Rights and welcomes in particular the increasing contributions made by developing countries, and invites more Governments and non-governmental organizations to consider contributing;

13. Requests the Secretary-General, in accordance with Part II, paragraph 16, of the Vienna Declaration and Programme of Action and in cooperation with the Board of Trustees of the Voluntary Fund as advisory body, to continue to ensure more efficient management of the Voluntary Fund, strict and transparent project management rules, periodical evaluations of the programme and projects, and the dissemination of evaluation results, including programme implementation and financial accounting reports, as well as to arrange for the holding of information meetings open to all Member States and organizations directly involved in the advisory services and technical cooperation programme;

14. Requests the Board of Trustees to continue to exercise its full mandate as advisory body to promote and solicit contributions to the Voluntary Fund and to continue to assist the High Commissioner for Human Rights in monitoring, reviewing and improving constantly the implementation of technical cooperation projects, the conduct of comprehensive needs assessments and the monitoring of ongoing as well as the evaluation of completed projects, and invites the Chairman of the Board to address the Commission;

15. Emphasizes the need for the nomination of a new coordinator for the Voluntary Fund with substantial experience in development cooperation;

16. Requests the Secretary-General to continue to provide the necessary administrative assistance for the Board, to arrange meetings of the Board and to ensure that its conclusions are reflected in the annual report to the Commission on Human Rights on technical cooperation in the field of human rights;

17. Also requests the Secretary-General to submit an analytical report to the Commission on Human Rights at its fifty-fourth session on the progress and concrete achievements made as well as obstacles encountered in the implementation of the programme of advisory services and technical cooperation in the field of human rights and on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 9 (d)

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

Argentina, Austria, Bulgaria, Colombia, Cyprus*, Czech Republic, Denmark, Finland*, France, Germany, Greece*, Hungary*, Ireland, Italy, Mozambique, Netherlands, Norway*, Peru*, Portugal*, Republic of Korea, Sweden* and Uruguay: draft resolution

1997/... Internally displaced persons

The Commission on Human Rights,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problem this is creating for the international community,

Noting with concern that many serious situations of internal displacement do not receive sufficient attention and response,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

Recalling the relevant norms of international human rights instruments, of international humanitarian law and analogous refugee law,

Recalling the emphasis in the Vienna Declaration and Programme of Action on the need to develop global strategies to address the problem of internal displacement,

Bearing in mind General Assembly resolutions 49/169 of 23 December 1994 and 50/195 of 22 December 1996 and, in particular, the call by the General Assembly on the Commission to consider the question of establishing an appropriate legal framework for the internally displaced, on the basis of the report of the representative of the Secretary-General,

Recognizing that the protection of internally displaced persons would be strengthened by identifying, reaffirming and consolidating specific rights for their protection,

Welcoming the cooperation established between the representative of the Secretary-General and the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees, the United Nations Development Programme, the Department of Humanitarian Affairs and the World Food Programme as well as the International Committee of the Red Cross and other relevant international and regional organizations and agencies,

Reaffirming the finding of the representative of the Secretary-General that a central coordination mechanism to assign responsibilities in emergency situations is essential, and welcoming in this context the establishment, by the Inter-Agency Standing Committee, of the Task Force on Internally Displaced Persons,

Welcoming the decision by the Inter-Agency Standing Committee to invite the representative of the Secretary-General to participate in its relevant meetings, as well as in its Task Force, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

Recalling its resolution 1996/52 of 19 April 1996,

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons (E/CN.4/1997/43 and Add.1);

2. Commends the representative of the Secretary-General for the activities undertaken so far, despite the limited resources available to him, and for the catalytic role he continues to play to raise the level of consciousness about the plight of internally displaced persons;

3. Expresses its appreciation to those Governments and intergovernmental and non-governmental organizations which have provided assistance and protection to internally displaced persons and have supported the work of the representative of the Secretary-General, urges them to continue to do so and calls upon others to provide support for the efforts of the representative;

4. Encourages the representative of the Secretary-General through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for the internally displaced, taking into account specific situations;

5. Recalls the compilation and analysis of legal norms submitted by the representative of the Secretary-General, which concludes that while present international law covers many aspects of particular relevance to internally displaced persons, there are several significant areas in which the law fails to provide sufficient protection;

6. Encourages the representative of the Secretary-General to continue, on the basis of his compilation and analysis of legal norms, to develop a comprehensive framework for the protection of internally displaced persons and welcomes the preparation of guiding principles to this end, and requests the representative to report thereon to the Commission at its fifty-fourth session;

7. Emphasizes the need for better implementation of existing international law applicable to internally displaced persons;

8. Requests the Secretary-General to ensure the rapid publication, in all the United Nations working languages, and its wide dissemination, of the compilation and analysis of legal norms submitted by his representative and encourages Governments to translate it into other languages;

9. Welcomes the specific attention paid by the representative of the Secretary-General to the special assistance, protection and development needs of internally displaced women and children and encourages him to continue to address these needs;

10. Thanks Governments which have invited the representative of the Secretary-General to visit their countries and invites them to give due consideration, in their dialogue with the representative, to his recommendations and suggestions and to make available information on measures taken thereon;

11. Calls upon all Governments to facilitate the activities of the representative of the Secretary-General, in particular those Governments with situations of internal displacement which have not yet extended invitations or responded positively to requests for information from the representative;

12. Commends the representative of the Secretary-General for his efforts to promote a comprehensive strategy for better protection, assistance and development for internally displaced persons, and looks forward to the comprehensive study being prepared by him and to the recommendations therein;

13. Encourages the representative of the Secretary-General and the United Nations High Commissioner for Human Rights, as well as the United Nations High Commissioner for Refugees, the United Nations Development Programme, the Department for Humanitarian Affairs, the World Food Programme, the International Committee of the Red Cross and all other relevant humanitarian assistance and development organizations to further enhance their collaboration by developing frameworks of cooperation to promote protection, assistance and development for internally displaced persons;

14. Urges these organizations, especially through the Inter-Agency Standing Committee and its Task Force on Internally Displaced Persons, to continue to focus on problems relating to and solutions for internally displaced persons, including the setting up of a more comprehensive and coherent system of collecting data on their situation and to strengthen their collaboration with the representative of the Secretary-General;

15. Welcomes the initiatives undertaken by regional organizations, such as the Organization for Security and Cooperation in Europe, the Organization of African Unity and the Organization of American States, to address the assistance, protection and development needs of internally displaced persons, and encourages them to strengthen these activities and their cooperation with the representative;

16. Welcomes the attention paid by relevant rapporteurs, working groups, experts and treaty bodies to issues of internal displacement, and calls upon them to continue to seek information on situations which have already created or could create internal displacement and to include relevant information and recommendations thereon in their reports and make them available to the representative of the Secretary-General;

17. Calls upon the United Nations High Commissioner for Human Rights to develop projects, in cooperation with Governments, relevant international organizations and the representative of the Secretary-General, to promote the human rights of internally displaced persons, as part of the programme of advisory services and technical cooperation, and to include in his report to the Commission information on their implementation;

18. Requests the Secretary-General to provide his representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the representative of the Secretary-General to continue to seek the contribution of local, national and regional institutions;

19. Decides to continue its consideration of the question at its fifty-fourth session.

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Fifty-third session
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PURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Australia*, Austria, Bangladesh, Cameroon*, Canada, Cape Verde, Croatia*, Cyprus*, Czech Republic, Denmark, Ethiopia, France, Honduras*, India, Latvia*, Madagascar, Mexico, Mongolia*, New Zealand*, Philippines, Portugal*, Romania*, Russian Federation, Slovakia*, South Africa, Tunisia*: draft resolution

1997/... National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling relevant resolutions of the General Assembly and its own relevant resolutions concerning national institutions for the promotion and protection of human rights, notably General Assembly resolution 48/134 of 20 December 1993, Commission on Human Rights resolution 1995/50 of 3 March 1995, General Assembly resolution 50/176 of 22 December 1995 and Commission on Human Rights resolution 1996/50 of 19 April 1996,

Welcoming the rapidly growing interest shown worldwide in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play an important role in assisting the development of national institutions,

Recalling that, in General Assembly resolution 48/134, the Assembly welcomed the Principles relating to the status of national institutions for the promotion and protection of human rights, annexed to that resolution,

Recognizing that it is the prerogative of each State to choose, for the establishment of a national institution, the framework that is best suited to its particular needs and circumstances to ensure that human rights are promoted and protected at the national level in accordance with international human rights standards,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/23), in which was reaffirmed the important and constructive role played by national human rights institutions and their role in remedying human rights violations and in the dissemination of human rights information and education concerning human rights,

Recalling also the Platform for Action adopted at the Fourth World Conference on Women: Action for Equality, Development and Peace (A/CONF.177/20), in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Recalling that, at the World Conference on Human Rights, representatives of national institutions who attended as observers played a positive and constructive role in the deliberations of the Conference,

Welcoming the strengthening of regional cooperation amongst national human rights institutions, including the North and Latin American regional meeting in Mexico in April 1996 and the agreement reached at the first Asia-Pacific Regional Workshop of National Human Rights Institutions, held in Darwin, Australia, in July 1996, to establish an Asia-Pacific Regional Forum of National Human Rights Institutions, open to all regional national institutions established in conformity with the Principles relating to the status of national institutions,

Also welcoming the second European regional meeting of national institutions in Copenhagen in January 1997, which established a coordination

group with the aim of strengthening national institutions in Europe and in countries of the Commonwealth of Independent States, and commending the High Commissioner/Centre for Human Rights for supporting the meetings in Darwin and Copenhagen,

Noting with satisfaction the constructive participation of representatives of a number of national institutions for the promotion and protection of human rights in international seminars and workshops organized or sponsored by the United Nations and its Member States and in other United Nations activities,

Noting the importance of finding an appropriate form of participation by national institutions in relevant United Nations meetings dealing with human rights, and noting that a number of national institutions have for some time taken a constructive part in such meetings as part of the delegations of Member States,

1. Reaffirms the importance of the development of effective, independent, pluralistic national institutions for the promotion and protection of human rights in keeping with the Principles relating to the status of national institutions annexed to General Assembly resolution 48/134 of 20 December 1993;

2. Encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

3. Welcomes the decisions announced recently by a growing number of States, to establish, or consider establishing, national institutions for the promotion and protection of human rights;

4. Encourages all Member States to take appropriate steps to promote the exchange, in particular by national institutions, of information and experience concerning the establishment and operation of national institutions;

5. Emphasizes in this regard the need to disseminate the Principles relating to the status of national institutions as widely as possible, and calls upon the Secretary-General to undertake this task;

6. Reaffirms the role of national institutions, where they exist, as appropriate agencies inter alia for the dissemination of human rights materials and other public information activities, including those of the United Nations;

7. Urges the Secretary-General to continue to give a high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

8. Commends the recently intensified activities of the High Commissioner/Centre for Human Rights in promoting and strengthening national institutions, including through the work of the Special Adviser to the High Commissioner on National Institutions, Regional Arrangements and Preventative Strategies;

9. Requests the High Commissioner/Centre for Human Rights, with the assistance of national institutions and their Coordinating Committee, to continue to provide technical assistance for States wishing to establish or strengthen their national institutions and to organize training programmes for national institutions which request them;

10. Encourages the High Commissioner/Centre for Human Rights to ensure that appropriate arrangements are made and resources provided from within existing resources to continue and further extend the intensified activities in support of national human rights institutions and invites Governments to contribute additional, earmarked funds to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for this purpose;

11. Requests the Secretary-General to take measures to ensure that national institutions are informed effectively, including through diplomatic channels, about the activities of the Centre for Human Rights involving national institutions;

12. Takes note of the role of the Coordinating Committee created by national institutions, as recognized in Commission on Human Rights resolution 1994/54, in close cooperation with the Centre for Human Rights, to assist Governments and institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

13. Requests the Secretary-General to continue to provide, from within existing resources, the necessary assistance for holding meetings of the Coordinating Committee during the sessions of the Commission on Human Rights, under the auspices of, and in cooperation with, the High Commissioner/Centre for Human Rights;

14. Also requests the Secretary-General to continue to provide, from within existing resources and the Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for regional meetings of national institutions;

15. Takes note of the report of the Secretary-General concerning possible forms of participation by national institutions in United Nations meetings dealing with human rights (E/CN.4/1997/41), and notes the corresponding recommendation therein;

16. Considers it appropriate for national institutions which conform with the Principles relating to national institutions to be able to participate in an appropriate manner in their own right in meetings of the Commission on Human Rights and its subsidiary bodies, requests the Secretary-General to submit to the Commission as soon as possible a report containing options for arrangements to implement this so that the Commission can resolve this question at its fifty-fourth session, and considers that appropriate practices should be continued in the interim to provide for their participation;

17. Reiterates its request to the Secretary-General to convene, within existing resources, a fourth international workshop on national institutions for the promotion and protection of human rights, to be held in Mexico during 1997;

18. Welcomes the decisions to hold the second Asia-Pacific regional workshop of national institutions, the second regional meeting of African national institutions and the third regional meeting of European national institutions within the next year;

19. Invites Governments and intergovernmental organizations to contribute to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for the purpose of financing, where necessary, attendance by representatives of national institutions;

20. Recognizes the important and constructive role that non-governmental organizations can play, in cooperation with national institutions, for the better promotion and protection of human rights;

21. Requests the Secretary-General to report to the Commission at its fifty-fourth session on the implementation of the present resolution;

22. Decides to continue its consideration of this question at its fifty-fourth session.